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September 25, 2005

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

Applicant:

Paul Stamets

Application No.:

10/614,906

Filed:

07/07/2003

## Honorable Commissioner:

Enclosed please find a Transmittal Form, an Information Disclosure Statement and a Return Receipt Postcard.

No fee is included as the Information Disclosure Statement has been filed before the mailing of a first Office action on the merits (Public PAIR).

Thank you for your assistance in this matter.

Respectfully Submitted,

William R. Hyde

U.S.P.T.O. Reg. # 35,201

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Encl.: Transmittal Form

Information Disclosure Statement forms PTO/SB/08A and PTO/SB/08B (2 pages)

Information Disclosure Statement Compendium (4 pages)

Copies of foreign patents, abstract translations and publication (16 pages)

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PTO/SB/21 (09-04) PTO/SB/21 (09-04)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
o a collection of information unless it displays a valid OMB control number. Paperwork Reduction Act of 1995, no persons are required to respond to a c Application Number 10/614,906 TRANSMITTAL Filing Date 07/07/2003 First Named Inventor **FORM** Stamets, Paul Art Unit 1651 Examiner Name Prats, Francisco (to be used for all correspondence after initial filing) Attorney Docket Number PS-LifeBox Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): Return Receipt Postcard Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Document(s) IDS includes compendium and copies of foreign patents, English translations of foreign patent Reply to Missing Parts/ abstracts and copy of publication Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name William R. Hyde P.C. Signature Printed name William R. Hyde Date Reg. No. 35,201 September 25, 2005 **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date William R. Hyde /25/2005 Typed or printed name

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Application Serial No.: 10/614,906

5 Filed: 07/07/2003

Examiner: Prats, Francisco

Group Art Unit: 1651

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Attorney Docket No.: PS-LifeBox

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## INFORMATION DISCLOSURE STATEMENT—COMPENDIUM

U.S. Pat. No. 5,860,245 (1999) to Welch discloses sterilized laminated mats for growing vegetation or mushrooms having a sterile base fabric, seeds and/or spores disposed on the upper surface of the base fabric, a layer of hydrophilic biodegradable hydrating medium secured to the base fabric with an organic water soluble biodegradable adhesive and a cover medium. The base fabric may be an organically coated paper membrane or wood fiber sheet and the hydrating medium may be wood pulp or other fibers.

Stamets, www.fungi.com (webpage printout), December, 1999 discloses fungal spore and hyphal impregnation into fabric landscaping cloths. Landscaping cloths are impregnated with seeds of grasses and other plants and a fungal/mycelial component is added to the fabric.

U.S. Pat. No. 4,786,550 (1988) to McFarland *et al.* discloses seedbeds of nonwoven fabrics, particularly meltform and coform materials having incorporated therein seeds. In addition to the seeds there may also be incorporated absorbent material such as cellulose fibers or wood fibers and

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superabsorbent materials such as hydrogels or starches. The seedbeds may contain additives such as fungi spores, yeast, larvae, beneficial insect eggs, bacteria for nonchemical organic pest control, fertilizers, pesticides or herbicides.

German pat. no. DE4426851 (1996) to Hengstermann *et al.* (English abstract translation) discloses plant bales for plants propagated vegetatively from seeds in trays consisting of a binder-consolidated substrate consisting of organic materials such as peat, rice spelt and plant fibers admixed with clay minerals, perlite, nutrients and Mycorrhiza fungal spores, wherein the substrate also contains a polysaccharide and/or a high molecular weight polymer.

Japanese pat. no. JP10066408 (1998) to Fujiwara (English abstract translation) discloses that seeds or spores may be sown and cultivated with a coating of strained waste paper to persistently maintain water retention, inhibition of weeds and adjustment of the supply of fertilizer.

U.S. Pat. No. 6,156,699 (2000) to Johnson *et al.* discloses a process for producing coated, singulated seeds. The process comprises 1) coating seeds with a wet composition of a particulate solid and a binder to produce a wet mixture comprising solid, binder and seeds; 2) contacting the mixture with a singulating substance to produce individually separated seeds; 3) drying; and optionally 4) coating the seed with a mixture comprising a binder. After the third step, the process may further comprise treating the seed with a

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biological material and/or a phytoprotection product. The biological material may include bacteria or fungi. This process produces seeds coated with a first layer of binder and particulate solid, a second layer of a singulating substance, a third layer of a biological material such as bacteria or fungi and/or a phytoprotection product and a fourth layer which contains a binder.

U.S. Pat. No. 5,017,374 to Humphrey (1991) discloses seed dressing material for application to seeds comprising fungal spores, preferably of the family Coprinus, preferably *Coprinus comatus* (shaggy-mane mushroom) or *Coprinus micaceus*, and GTF chromium or yeast or combinations thereof. The aforementioned items are thought to increase the number and activity of the appropriate mycorrhizal fungi in the soil with respect to crop growth rate.

German pat no. DE19612649 (1997) to Thatje (English abstract translation) discloses inoculating grasses or cereal crops with *Marasimus oreades* fungi, resulting in a mycorrhizalisation process that improves crops yield and reduces the amount of artificial fertilizer used. Spores or mycelia may be added to the soil. Dried mycelia may be mixed with the seeds or used as an inoculum.

U.S. Pat. No. 6,351,911 (2002) to Behrens discloses vegetation supports comprising a mat of entangled organic fibers, a plant-compatible binding agent and a plant material able to germinate, especially seeds,

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spores or sprouts. Also disclosed are mats made of wood-wool fibers.

U.S. Pat. No. 4,722,159 (1988) to Watanabe *et al.* discloses cultivation of mushrooms in a culture medium comprising a fungal bed and a covering soil having laid therebetween a water-absorbing sheet composed of a porous substrate and a water-absorbing polymeric sheet having both a water-retention capability and air-permeability. The porous substrate may be fibrous materials such as paper, fabrics and felt.

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Sheet 1

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 2

Complete if Known				
Application Number	10/614,906			
Filing Date	07/07/2003			
First Named Inventor	Stamets, Paul			
Art Unit	1651			
Examiner Name	Prats, Francisco			
Attorney Docket Number	PS-LifeBox			

	•		U. S. PATEN	DOCUMENTS	<del> </del>
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (f known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		<sup>US-</sup> 5,860,245	01-19-1999	Welch	C2 L45 - C3 L49
		<sup>US-</sup> 4,786,550	11-22-1988	McFarland et al.	C2 L28-36; C5 L45-59
		<sup>US-</sup> 6,156,699	12-05-2000	Johnson et al.	C1 L42-67; C3 L18-25
		<sup>US-</sup> 5,017,374	05-21-1991	Humphrey	C4 L21-52
		<sup>US-</sup> 6,351,911 B1	03-05-2002	Behrens	C2 L1-8 & L33-41; C3 L49-52
		<sup>US-</sup> 4,722,159	02-02-1988	Watanabe et al.	C2 L19-25; C2 L53-57
		US-			

	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	т6
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	To
		DE 4426851 A1	02-01-1997	Hengstermann	Abstract	~
		JP 10-066408	03-10-1998	Fujiwara	Abstract	V
		DE 19612649 A1	10-09-1997	Thatje	Abstract	~
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Examiner		Date	
Signature		Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. See Finds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. See Finds Codes of USPTO Patent Documents, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>			
		STAMETS, printout of www.fungi.com webpage, December, 1999, Shelton, WA, USA		

Examiner	Dat	ite
Signature	Cor	onsidered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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